

October 7, 2019

State of New Mexico
Office of State Engineer
Litigation and Adjudication
Santa Fe, NM 87501

Attn: Felicity Strachan,

Re: Certification of Default
Subfile No. CHRO-002-0001

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

OCT 10 2019

MITCHELL R. ELFERS
CLERK

69cv7941 mv/kk

We have received your letter recommending that the Federal court of September 20, 2019 file a failure against us for not signing the consent order. You state investigation of "additional" rights related to two ponds. These are not new or additional rights but have always existed in land grant documents and local oral histories. Natural Resource and Soil Conservation aerial maps do show the historical pond as Virgil can show.

Attached, you will also find the filed form letter with our official response.

Your mention of "meaningless" shows attitude, in our opinion, saying that George and Josephine Lopez never had the 30 acres of water rights to transfer to us. You have not lived on these lands, but we have all our lives amongst families in this land grant who did recognize the 30 acres of water rights. Your frustration with Virgil is obvious in that letter but, he in turn, has felt bullied and overwhelmed by the triplicate copies mailed and immense papers to read, fill out and keep track of which are seemingly sent to confuse and overwhelm him. He has made many attempts to work with the SEO. He provided his own copies making several trips into Santa Fe, met staff out in the fields, returned calls and even spent an entire day with his wife who took notes in a meeting of historians and SEO staff. He even believed the transfer was complete and he was working under approval. When he last went by your office within the last year, he left with the understanding that you would set a meeting with Johnny Apodaca who had worked for SEO and had done a field inspection.

You say that the SEO will not offer to recognize a right, yet later in the same letter, you state we would normally be required to follow administrative process, however, because of the ongoing adjudication of water rights on the Rio Vallecito, the State has offered to recognize the additional 13.3 acres more than allowed through this court process, without the requirement to secure a permit or final license through administrative process. Then you go on to say if we wish to have this default set aside we can file motion Fed.R.Civ.P.55 (c) or consult with an attorney.

This is another form we would have to search out and attorneys are costly to pay for something we already have paid for in the documentation shown. SEO has only estimated water rights, guessing and never really went out to do any professional methods to prove or secure the actual size of property irrigated.

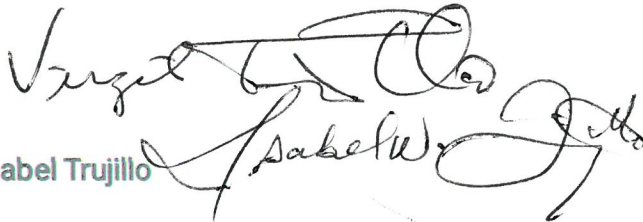
This has gone on longer than it should have and mistakes were on both parts and new reviews have created other questions. This feels like harrassment and we believe that by signing for the State offer to gain 13.3 acres of water rights sounds like a deal to loose 30 acres of water rights!

SEO has a bad history with water rights takeover on land grant and personal properties already. This will be seen as another attempt to overpower and take advantage of minorities by the use of administrative process creations to justify wrongful documentation.

We continue to be open and discuss this further to have adequate attention to the many more other concerns. The Abiquiu land grant has being given water rights to fill an endless amount of ponds that were created recently as overflow catchments to their livestock system. At least four of those ponds were constructed for catching runoff water and now are receiving enormous amounts of water illegally as no permits existed for these either from the Rio Vallecito creek.

We should be treated fairly by the SEO as the same land grant is alongside our properties, it only makes sense.

Sincerely,

Handwritten signatures of Virgil and Isabel Trujillo. The signature of Virgil is on the left, and the signature of Isabel is on the right, overlapping the first one.

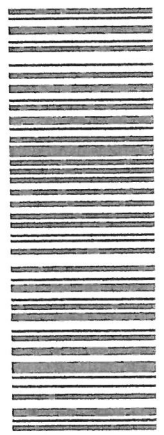
Virgil and Isabel Trujillo

Last modified: 10/10/19

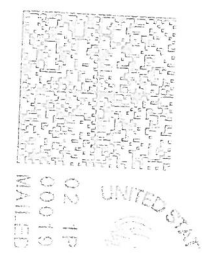
PB 187
Abiquiu, NM
87510

RECEIVED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
OCT 10 2019
MITCHELL R. ELFERS
CLERK

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL®



7018 2290 0001 6319 4212



US District Court Clerk
333 Lomas Blvd,
Suite 270
Albuquerque, NM
87102